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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA**

**FOURTH APPELLATE DISTRICT**

**DIVISION TWO**

In re K.M., a Person Coming Under the  
Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

K.M.,

Defendant and Appellant.

E057186

(Super.Ct.No. INJ1200107)

OPINION

APPEAL from the Superior Court of Riverside County. Lawrence P. Best,  
Temporary Judge. (Pursuant to Cal. Const., art. VI, § 21.) Affirmed.

John E. Edwards, under appointment by the Court of Appeal, for Defendant and  
Appellant.

No appearance for Plaintiff and Respondent.

Following a contested jurisdictional hearing, the juvenile court found true that  
defendant and appellant K.M. (minor) committed misdemeanor battery on a police

officer. (Pen. Code, § 243, subd. (b).) Minor was thereafter placed on probation in the custody of her parents for a period of six months with various terms and conditions.

Minor appeals from the judgment. We find no error and affirm the judgment.

### FACTUAL BACKGROUND

On February 2, 2012, Riverside County Sheriff's Deputy Trueblood was assigned as a school resource officer for Desert Sands Unified School District. Around 2:45 p.m., the deputy was flagged down by minor's mother while sitting in his marked patrol car across the street from La Quinta High School. Minor's mother asked the deputy to assist her in getting minor back inside her vehicle, and she pointed out minor to the deputy.

The deputy drove his vehicle to where minor was standing and asked her to come over and speak with him. Minor began walking in the deputy's direction, but failed to stop when requested to do so. She walked past the deputy and told him to "fuck off." The deputy again asked minor to stop, however, she continued to walk toward her mother's car and get into the front passenger seat. The deputy tried to grab minor's arm to get her attention, instead he grabbed her purse, and followed minor to her mother's vehicle with her purse. Minor appeared to be angry. Minor told her mother, "I'm in the car, so fucking go."

The deputy stepped into the doorway of the open door, and stated that minor was not free to leave. The deputy then began asking minor for her name, date of birth, and other information so he could contact her at a later date. Minor again told the deputy to "fuck off." Minor's mother told minor that she could not talk to an officer like that, and the two began to argue. The deputy began telling minor the consequences of her actions.

At some point, minor then swung herself back toward the door, sitting face forward out to the side, placed both of her hands on the deputy's chest, and then shoved him back from the vehicle. The deputy took a step backwards, grabbed minor's wrist, handcuffed minor, and told her he was placing her under arrest for battery on a police officer.

Riverside County Sheriff's Deputy Smith was also working as a school resource officer. She was patrolling the area in a golf cart when she saw minor reach her arms back and strike Deputy Trueblood in the chest. Deputy Smith quickly responded to assist Deputy Trueblood. As Deputy Smith ran toward Deputy Trueblood, Deputy Smith saw minor pushing Deputy Trueblood multiple times in the chest area, and Deputy Trueblood moving back. Deputy Smith also observed Deputy Trueblood grab minor's arm to stop her from striking him and place her hands behind her back. Deputy Smith assisted Deputy Trueblood in gaining control of minor.

Minor's mother admitted to flagging down Deputy Trueblood to assist her in getting minor back into her car, but told the deputy "[n]ever mind" when minor willingly returned. Minor's mother further testified that the deputy said that he wanted to talk to minor; that the deputy would not let minor go; and that minor had pushed the deputy away so she could get out of the car. Minor's mother believed that the deputy was harassing minor, and that the deputy had overstepped his boundaries.

## DISCUSSION

Minor appealed and, upon her request, this court appointed counsel to represent her. Counsel has filed a brief under the authority of *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738, setting forth a statement of the case, a

summary of the facts and potential arguable issues, and requesting this court conduct an independent review of the record.

We offered defendant an opportunity to file a personal supplemental brief, but she has not done so. Pursuant to the mandate of *People v. Kelly* (2006) 40 Cal.4th 106, we have independently reviewed the record for potential error and find no arguable issues.

#### DISPOSITION

The judgment is affirmed.

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RAMIREZ

P. J.

We concur:

RICHLI

J.

KING

J.